

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH : CUTTACK.**

ORIGINAL APPLICATION NO.386 OF 1991

Cuttack, this the 22nd day of May, 1995

Prakash Behera

Applicant.

-versus-

Union of India and others.... Respondents.

(FOR INSTRUCTIONS)

1) Whether it be referred to the Reporters or not? ✓

2) Whether it be circulated to all the Benches of the Central Administrative Tribunal or not? ✓

(H. RAJENDRA PRASAD)
MEMBER (ADMINISTRATIVE)

22 MAY 95

(D.P.HIREMATH)
VICE CHAIRMAN

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CENTRAL ADMINISTRATIVE TRIBUNAL,
CUTTACK BENCH: CUTTACK.

ORIGINAL APPLICATION NO. 386 OF 1991
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CORAM:

THE HONOURABLE SHRI JUSTICE D.P.HIREMATH, VICE-CHAIRMAN
AND
THE HONOURABLE SHRI H.RAJENDRA PRASAD, MEMBER(ADMN.)

Prakash Behera, aged about years,
son of late Jagannath Behera,
At/P.O-Jaradagarh, Dist.Ganjam ... Applicant.

By the Advocates - M/s Devanand Misra,
Deepak Misra,
R.N.Naik, A.Deo,
B.S.Tripathy &
P.Panda.

-versus-

1. Union of India, represented by its
Secretary, Department of Posts,
Dak Bhavan, New Delhi.
2. Chief Post Master General, Orissa Circle,
At/P.O-Bhubaneswar, District-Puri.
3. Senior Superintendent of Post Offices,
At/P.O-Berhampur, District-Ganjam.
4. Sub-Divisional Inspector (Postal),
Berhampur (South), At/P.O-Berhampur,
District-Ganjam ... Respondents

By the Advocate - Mr.Aswini Kr.Misra.

O R D E RD.P.HIREMATH, VICE-CHAIRMAN

Heard both the learned counsel.

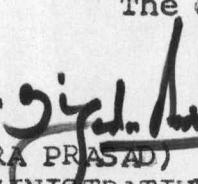
The applicant herein challenges the order dated 14.10.1991 which, according to him, suffers from serious lapse of not giving him any opportunity before his services came to be terminated summarily even without notice to him. He started his career in the Postal Department from 15.12.1984 as an E.D.Packer. Thereafter he was selected as Postman and underwent training, and then he was appointed by the order dated 19.11.1990 in the Postman cadre and was attached to Gopalpur Sub-Office with immediate effect. In spite of this the Sub-Divisional Inspector(P), Berhampur (South) by his order referred to above only stated that his services were terminated forthwith and directed that he should be entitled to claim a sum equivalent to the amount of his pay plus allowances, etc. The learned counsel for the respondents only states that his entry was irregular and that he could not have been appointed to the vacancy in which he is now continuing. Apart from merits of these contentions, it was ^{only} ~~wholly~~ necessary that the applicant was required to be heard as required by the principles of natural justice before his services were terminated.

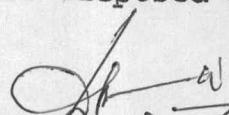
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On that ground alone the impugned order requires
to be quashed and the same is quashed.

The Original Application is disposed of.


(H. RAJENDRA PRASAD)
MEMBER (ADMINISTRATIVE)


(D.P. HIREMATH)
VICE-CHAIRMAN

22 MAY 95

A.Nayak, P.S.